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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,889	04/10/2001	Toshio Yagihashi	Q63958	7824

7590 10/07/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER
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SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/828,889

Applicant(s)

YAGIHASHI ET AL.

Examiner

Cristina O Sherr

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. Claims 1-17 have been examined.

#### ***Specification***

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

5. Regarding claim 1 –

Koritzinsky discloses a network-based design service system, comprising design database server for storing a design database containing information on parts/vendors, information on sample circuits, and information on anti-noise circuit and other design know-how that are registered by a parts vendor in advance via a network; designer terminal for a designer to search said design database, determine design conditions autonomously, and conduct the design of a device; and account terminal for paying a

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royalty for utilizing the design database from the bank account of the designer to the bank account of the parts vendor upon utilization of said design database (Col. 2 In 39 – col 3 In 2).

6. Regarding claim 2 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, wherein said designer terminal searches said design database on a WWW site, determines design conditions autonomously, and conducts the design of a device (Col 2 In 54-59).

7. Regarding claim 3 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, wherein said account terminal has a function for paying an employment fee from the bank account of the parts vendor to the bank account of the designer upon employment of a part by said designer (Col 4 In 19-45).

8. Regarding claim 4 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising: means for notifying a problem if a problem is found in a sample circuit, etc., during the design process for a device to other designer terminals being used by other designers working on the devices related to the device with said problem (Col 4 In 33-45).

9. Regarding claim 5 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising: means for the designer to conduct circuit design for a device, and

determine parts to employ autonomously through price simulation for achieving the target price of the device and noise simulation for achieving the required noise proof performance (Col 6 In 7-22).

10. Regarding claim 6 –

Koritzinsky discloses the network-based design service system as set forth in claim 1, comprising means for notifying a problem found in a sample circuit, etc., during the design process for a device, if any, to other designer terminals being used by other designers working on the devices related to the device with said problem; and means for the designer to conduct circuit design for a device, and determine parts to employ autonomously through price simulation for achieving the target price of the device and noise simulation for achieving the required noise proof performance (Col 7 In 22-34).

11. Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

12. Regarding claim 7 –

Koritzinsky discloses a network-based design method, comprising the steps of a parts vendor registering on a design database server various kinds of information, including information on parts/vendors, information on sample circuits, and information on anti-noise circuit and other design know-how, in advance via a network; a designer searching said design database, determining design conditions autonomously, and conducting the design of a device; and paying a royalty for utilizing the design database from the bank account of the designer to the bank account of the parts vendor upon utilization of said design database (Col 8 In 5-28).

13. Regarding claim 8 –

Koritzinsky discloses the network-based design method as set forth in claim 7, wherein said design step searches said design database on a WWW site, determines design conditions autonomously, and conducts the design of a device (Col 9 In 10-32).

14. Regarding claim 9 –

Koritzinsky discloses the method of claim 7, further comprising the step of paying an employment fee from the bank account of the parts vendor to the bank account of the designer upon employment of a part by said designer (Col 9 In 34-45).

15. Regarding claim 10 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the step of notifying a problem if a problem is found in a sample circuit, etc., during the design process for a device to other designer terminals being used by other designers working on the devices related to the device with said problem (Col 14 In 40-51).

16. Regarding claim 11 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the step of the designer conducting circuit design for a device, and determine parts to employ autonomously through price simulation for achieving the target price of the device and noise simulation for achieving the required noise proof performance (Col 14 In 24-38).

17. Regarding claim 12 –

Koritzinsky discloses the network-based design method as set forth in claim 7, comprising the steps of notifying a problem if a problem is found in a sample circuit, etc., during the design process for a device to other designer terminals being used by other designers working on the devices related to the device with said problem; and the designer conducting circuit design for a device, and determine parts to employ autonomously through price simulation for achieving the target price of the device and noise simulation for achieving the required noise proof performance (Col 25 ln 27-45).

18. Claims 13-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky (US 6,272,469B1).

19. Regarding claim 13 –

Koritzinsky discloses a network-based design service system, comprising design database server for storing a design database containing information on parts/vendors, information on sample circuits, and information on anti noise circuit and other design know-how that are registered by a parts vendor in advance via a network; and designer terminal for a designer to search said design database, determine design conditions autonomously, and conduct the design of a device (Col. 2 ln 39 – col 3 ln 2).

20. Regarding claim 14 –

Koritzinsky discloses the network-based design service system as set forth in claim 13, wherein said designer terminal searches said design database on a WWW site, determines design conditions autonomously, and conducts the design of a device (Col 2 ln 54-59).

21. Regarding claim 15 –

Koritzinsky discloses the network-based design service system as set forth in claim 13, comprising means for notifying a problem if a problem is found in a sample circuit, etc., during the design process for a device to used by other designers to the device with said other designer working on the problem (Col 2 In 54-59).

22. Regarding claim 16 –

Koritzinsky discloses the network-based design service system as set in claim 13, comprising means for the designer to conduct circuit design and determine parts to employ autonomously simulation for achieving the target price and noise simulation for achieving the required noise proof performance (Col 6 In 7-22).

23. Regarding claim 17 –

Koritzinsky discloses the network-based design service system as in claim 13, comprising means for notifying a problem if a problem in a sample circuit, etc., during the design device to other designer terminals being designers working on the devices related with said problem; and for the designer to conduct circuit design and determine parts to employ autonomously simulation for achieving the target price and noise simulation for achieving the set is found process for a used by other to the device means for a device, through price of the device required noise proof performance (Col 7 In 22-34).

24. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures



may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26. Ginter et al (US 6,237,786B1) discloses systems and methods for secure transaction management and electronic rights protection.

27. Sprague et al (US 5,247,575A) disclose an information distribution system.

28. Sirbu et al (US 5,808,144) discloses a method and apparatus for purchasing and delivering digital goods over a network.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

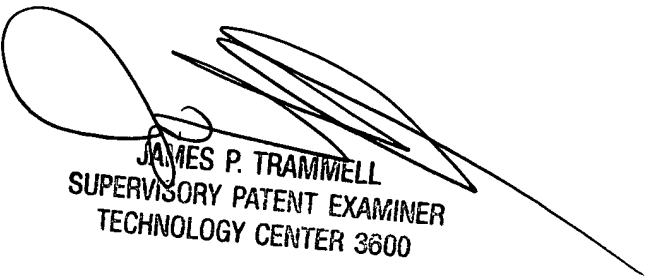
31. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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